

BOARD OF SELECTMEN – APRIL 4, 2011

I. Call to Order/Roll Call

Chairman Alex Vispoli called the Regular meeting of the Board of Selectmen to order at 7:04 P.M. in the Selectmen's Conference Room at the Town Offices. Present were: Chairman Vispoli and Selectmen Mary Lyman, Brian Major, Ted Teichert and Paul Salafia. Also present were: Town Manager Reginald S. Stapczynski, Town Clerk Larry Murphy, School Superintendent Dr. Marinel McGrath, School Committee Chairman Dennis Forgue and School Committee member Paula Colby-Clements. The meeting was duly posted and cable-cast live. On a motion by Chairman Forgue with a second by Paula Colby-Clements, the School Committee moved into Open Session from Executive Session.

II. Opening Ceremonies

Chairman Vispoli asked for a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

A. New CIO (Chief Information Officer)

The Town Manager and School Superintendent announced the appointment of Paul J. Puzzanghera as the new Chief Information Officer for the Town/School Technology Department. The Town Manager said nine candidates were selected to be interviewed from a pool of ninety-six applications resulting in three finalists brought forward. Paul emerged as the person who could bring the Town/School through a difficult and challenging change. He said he and Dr. McGrath were impressed with Paul's vision, leadership style, enthusiasm and experience. Mr. Puzzanghera has built several successful start-up companies and held the position of information technology consultant to many renowned corporations. Mr. Puzzanghera is a graduate of Phillips Andover Academy, Harvard University and earned his MBA from MIT. He has many experiences as a citizen volunteer that will mesh well with the position – he was a member of the Finance Committee, Strategic Planning Committee and an elected Town Meeting member in his hometown of Winchester.

Chairmen Vispoli and Forgue thanked the members of the Selection Committee for their time and effort throughout the hiring process.

Mr. Puzzanghera said his expertise is in helping companies/municipalities to immerse themselves more thoroughly in technology and expects to create a new approach for the Town and Schools to interact jointly. A cohesive vision is needed to improve the daily life of Andover citizens and Town and School employees.

Chairman Vispoli said the CIO appointment would be confirmed at their April 11th meeting with the start date for the position of Monday, May 2, 2011.

IV. Citizens Petitions and Presentations

The Town Manager reported that applications for the Virginia Cole Community Service Award are still being accepted at the Town Manager's office. The award will be presented on the second night of Town Meeting.

Town Clerk Larry Murphy said Town Meeting convenes on Wednesday, April 27th and Thursday, April 28th at 7:00 P.M. in the Collins Field House at Andover High School. If necessary, Town Meeting will be continued to May 2nd and 3rd in the Collins Center. The last day to register to vote at Town Meeting is Thursday, April 7th.

Selectman Major reported that the Tri-board Budget Sub-committee will meet on Thursday April 14th at 7:00 A.M. with the goal to have a resolution on the budget.

Selectman Teichert reported the School Building Committee will meet on Wednesday, April 6th at 7:30 A.M. in the Board of Selectmen's Meeting Room; and

Selectman Salafia reported that the Town Yard Task Force will meet on Tuesday, April 5th also at 7:30 A.M. in the Board of Selectmen's Meeting Room.

Chairman Vispoli said he and Finance Chair Joanne Marden are both members of the Massachusetts Municipal Association Board which will meet next week with the Governor and Lt. Governor to talk about issues MMA is supporting. If anyone has questions or comments they would like them to ask at the meeting, please let him or Joanne know.

Diane Costagliola, Belknap Drive, asked if there would be a Tri-board Meeting prior to the final budget decision. Selectman Major said they expect to get House 1 numbers on April 13th and use that information at the Thursday, April 14th Tri-board Budget Sub-committee meeting. The three boards would present the findings of the budget sub-committees. Mrs. Costagliola said she is concerned with having a Tri-board meeting the week of school vacation, is disturbed about the tremendous impact a potential \$2M cut from the school budget will have on the School District and feels the possible additional cut of \$1M will change the landscape of the Town. People want to know what's going on.

Denise Wall, 2 Blueberry Hill Road, said she speaks for the majority of families and kids concerned about the dramatic change to the landscape of the School/Town with the budget cuts discussed for the Schools. Selectman Major suggested they back the School Committee 100% on contract negotiations which would mine significant dollars. Ms. Wall said the public does not know the details of the contract and can't take a stand without having information. Paula Karl, Cheever Circle, said she feels hopeless about the budget cuts for the schools and does not think there are enough budget cuts coming from the Town. Selectman Lyman pointed out they have been meeting twice a week since mid-February going through Departmental budgets and cuts. Selectman Major stated that generally budgets are put together with available monies, however, the School leadership decided to present a budget and then reduce it to meet available revenues. There have been significant reductions in both the Town and School budgets and they are looking to see how they can get the School budget in line. Chairman Vispoli added there have been eighteen budget meetings since January. John Zipeto, Canterbury Street, said three elementary schools are struggling to maintain compliance with NCLB and he is concerned about underperforming schools and what that will do to the Town.

V. Public Hearing

A. Transfer of Stock

Selectman Lyman motioned to approve the request of Dish, LLC, 22C Andover Street, Andover, holder of a Retail Wine Only Package Store License at 22C Andover Street, Andover, for a Transfer of Stock or Interest from Amy L. Aycock to Stacia Quinn and a Change of Manager for said license. Stacia Quinn is the new designated Manager. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

VI. Regular Business of the Board

A. Outdoor Seating Proposal – Brasserie 28

Matthew Morello, Morello Hospitality Group, LLC, d/b/a Brasserie 28 Restaurant & Lounge, 2 Elm Square, Andover, talked about his proposal for outdoor seating which would include the serving of food and beverages, including alcoholic beverages, on the Main Street sidewalk adjacent to Brasserie 28.

Chairman Vispoli asked the Town Clerk to explain the process for this type of request. Mr. Murphy said Andover's current Alcohol and Outdoor Dining Policy prohibits serving alcohol on public property. Therefore, the policy would need to be amended, Mr. Morello would need to submit an application for outdoor dining and file for a license, amend his alcohol pouring license, and a public hearing would be scheduled for the amendment of the liquor license for outdoor dining.

The Board discussed the proposal and their concerns about sidewalk safety, liability issues, policy changes and the use of public property for financial gain. The Board would like to have the Police Department weigh in on the safety issue and for staff to accumulate best practices from towns that currently allow outdoor seating on public property serving alcohol and how they handle liability and safety issues. The information should then be brought back to the Board with recommendations to consider. The process will take a few months.

B. 2011 Annual Town Meeting Warrant Article #4

Selectman Major reported that the Board is not ready to vote on a budget number and will continue to hold on Warrant Article #4.

VII. Consent Agenda

A. Art-in-the-Park

Selectman Salafia motioned to approve the request of Jane Loveys of the Andover's Artists Guild, Inc. for permission to use The Park for their Annual Art-in-the-Park event on Saturday, September 17, 2011 with a raindate of September, September 18, 2011. Arrangements have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

B. Memorial Day Parade

Selectman Teichert motioned to approve the request of Veterans Service Director Mike Burke for permission to conduct the Memorial Day Parade along Main Street on Monday, May 30, 2011. He is requesting that the following streets be closed between 8:30 A.M. and 11:00 A.M.: Park Street, Florence Street and Barnard Street and then the following streets be closed between 10:00 A.M. and 11:00 A.M.: Elm Street from Florence Street to Main Street, Main Street to Punchard Avenue, Punchard Avenue to Bartlet Street and Bartlet Street to Park Street. He is requesting that the municipal parking lots be closed beginning at 7:30 A.M. He is also requesting use of The Park for the ceremonies following the parade. Arrangements have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Major and voted 5-0 to approve.

C. Little League Parade

On a motion by Selectman Lyman with a second by Selectman Major it was voted 4-0-1 to approve the request of Scott Nichols of the Andover Little League for permission to conduct a parade down Main Street on Saturday, April 30, 2011 beginning at 10:00 A.M. at the Doherty Middle School as part of their Opening Day Ceremonies. Arrangements have been reviewed and approved with conditions by the Police Department. Selectman Teichert abstained from voting.

D. Use of The Park

On a motion by Selectman Major with a second by Selectman Lyman, it was voted 5-0 to approve the request of Dilenia Rodriguez, Community Coordinator of the Andover/North Andover WIC Program for the Greater Lawrence Community Action Council, Inc., for permission to use The Park on Saturday, June 25, 2011 from 9:00 A.M. to Noon for a Community Service Fair. Arrangements have been reviewed and approved with conditions by the Police Department.

E. Common Victualler

On a motion by Selectman Salafia with a second by Selectman Teichert, it was voted 5-0 to approve the request of David Pierre, 7 Comanche Way, Andover, d/b/a Orange Leaf Frozen Yogurt, for a Common Victualler license for use at 28 Park Street. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

F. Block Party Requests

Selectman Teichert motioned to approve the request of Ann Marie Bularzik, 9 Messenia Drive, for permission to block off her street for a neighborhood block party on Saturday, May 21, 2011 from 2:30 P.M. to 8:00 P.M. with a raindate of Sunday, May 22, 2011, the motion was seconded by Selectman Lyman and voted 4-0-1 to approve. Selectman Major abstained.

Selectman Teichert motioned to approve the request of Lucinda Gottfried, 4 Avon Street, to block off her street for a neighborhood block party on Saturday, May 28, 2011 from 2:00 P.M. to 11:00 P.M. Arrangements for both requests have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Salafia, and voted 5-0 to approve.

G. Change of Manager

On a motion by Selectman Major with a second by Selectman Salafia it was voted 4-0-1 to approve the request of Andover Classic Wines, LLC, d/b/a Andover Liquors, 209 North Main Street, Andover, for a Change of Manager on their All-Alcoholic Beverage Package Store license from Richard J. Daly to Andrea M. DiFiore. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. Selectman Lyman abstained.

H. Change of Corporate Officers/Directors

On a motion by Selectman Salafia with a second by Selectman Lyman it was voted 5-0 to approve the request of Bertucci's Restaurant Corporation, d/b/a Bertucci's Brick Oven Ristorante, 90 Main Street, for a change of Corporate Officers/Directors on their Wine & Malt Restaurant license. The new officers are: David G. Lloyd, CEO, President, Director; Brian P. Connell, CFO, Treasurer, Secretary; Bryan K. Schwanke, Assistant Secretary. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

I. Wine Sale & Sampling License

On a motion by Selectman Major with a second by Selectman Lyman it was voted 5-0 to approve the request of Wade Holtzman, Still River Winery, 104 Bolton Road, Harvard, MA, for a wine sale & sampling license for use at the Andover Farmer's Market, 97 Main Street, Andover, each Saturday from June 25, 2011 through October 8, 2011 from 12:30 P.M. to 3:30 P.M. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

J. 2011 Second Hand Dealer License Renewals

On a motion by Selectman Lyman with a second by Selectman Teichert, it was voted 5-0 to approve the following list of Second Hand Dealer License renewals for 2011 is being presented by the Town Clerk and will be effective from May 1, 2011 through April 30, 2012:

- Bell-Time Clocks, 53 Poor Street
- Dino International Furs, 33 Main Street
- E & J Music, 5A Lowell Street
- Grecoe Jewelers, 26 Park Street
- Nazarian Jewelers, 35 Main Street
- LVP, Inc., d/b/a Optech, 166 North Main Street
- Royal Jewelers, 58 Main Street

The requests have been reviewed and approved by the Police Department and Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the licenses.

K. Storage of Inflammable Annual Registration

On a motion by Selectman Salafia with a second by Selectman Lyman, it was voted 5-0 to approve the attached list of Storage of Inflammable license holders who have submitted their Certificates of Registration for 2011. The renewals have been reviewed and approved by the Fire Prevention Officer and Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the Certification of Registration.

L. Appointments and Re-appointments

On a motion by Selectman Teichert with a second by Selectman Salafia, it was voted 5-0 to approve the following appointments recommended by the Town Manager and as presented in the agenda.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>TOWN CLERK'S OFFICE</u>			
Sue Bergmeier	Pollworker – PT	\$8.25/hr.	3/15/11
<u>POLICE DEPARTMENT</u>			
Patricia J. Lawrence	Matron – PT	\$18.00/hr.	4/5/11
<u>COMMUNITY SERVICES</u>			
Reid E. Campbell	Tennis Instructor – PT	\$8.00/hr.	5/2/11
<u>MEMORIAL HALL LIBRARY TRUSTEES</u>			
John P. Hess – Term expires 6/30/12 (v. J. Hess)			
<u>HOUSING PARTNERSHIP/FAIR HOUSING COMMITTEE</u>			
Ann Cobleigh – Term expires 6/30/13 (v. S. Young)			

VIII. Approval of Minutes from Previous Meetings

On a motion by Selectman Major with a second by Selectman Lyman, it was voted 4-0-1 approve the Meeting Minutes of March 7, 2011 – Tri-Board Meeting, March 9, 2011, Regular Meeting, March 9, 2011 – Joint Meeting, and the March 21, 2011 – Regular Meeting Minutes. Selectman Salafia abstained.

On a motion by Selectman Major with a second by Selectman Lyman, it was voted 5-0 to approve the Regular Meeting Minutes of March 23, 2011 as presented.

IX. Adjournment

On a motion by Selectman Teichert with a second by Selectman Major, it was voted 5-0 to adjourn the meeting at 8:21 P.M.

Respectfully submitted,

Dee DeLorenzo
Recorder
Documents:

Memorandum to the Board of Selectmen and School Committee from the Town Manager and School Superintendent with a Press Release regarding the CIO appointment.

Outdoor Seating Proposal – Brasserie 28